

REMARKS

Claims 1 through 60 are pending in the application. Claims 16, 21 and 31 are amended.

Objection To Format Of Amendments Under 37 C.F.R. §1.173

Applicant notes that the Examiner objected to the earlier filed Amendments as improperly underlining and bracketing the amendments to the specification and the claims. The Examiner's attention is directed to 37 C.F.R. §1.121(a) which specifically states that this rule applies to "amendments in applications, *other than reissue applications*." Moreover, 37 C.F.R. §1.121(h) expressly states that "*Any* amendment to description and the claims in reissue application *must* be made in accordance with §1.173". 37 C.F.R. §1.173 defines the style and format of amendments in reissue applications, not §1.121. All of the pending claims 1 through 60 are presented in the foregoing pages, ready for printing; these claims are marked in accordance with 37 CFR §1.173(b) and (d) with the matter to be added underlined and the matter to be deleted bracketed. It is respectfully submitted that the manner in which Applicant has presented these amendments is in full compliance with 37 C.F.R. §1.173; accordingly, it is respectfully requested that this objection be withdrawn.

Rejection of Claims 21-51 Under 35 U.S.C. §251

In paragraph 2 of the Office action, the Examiner rejected claims 21-51 under 35 U.S.C. §251 "as being an improper recapture of broadened claimed subject matter surrendered in the application for the patent upon which the present reissue is based." Applicant respectfully

traverses this rejection for at least the following reasons.

First, nothing in 35 U.S.C. §251 defines either “recapture” or prohibits “recapture”. §251 does however, expressly provides for *broadening* of the scope of the claims of the original patent. Applicant is within the express grant of entitlement to seek broadened claims in this reissue application. In support of this rejection, the Examiner cited *Hester Industries, Inc. v. Stein, Inc.*, 46 USPQ2d 1441 (Fed. Cir. 1998); *In re Clement*, 45 USPQ2d 1161 (Fed. Cir. 1997) and *Ball Corp. v. United States*, 221 USPQ 289, 295 (Fed. Cir. 1984). During the office interview, the Examiner stated that he was not familiar with these judicial decisions, and had not read these decisions, and explained that the citation of these three decisions was simply part of the form paragraph used in the rejection. For the benefit of the Examiner, Applicant explains that these decisions fail to support the Examiner’s rejections.

By way of example, in *Ball Corp.*, the Court completely refused allegations of recapture asserted by the government where the Applicant filed a reissue application within the two-year period for broadened reissue, and ruled that the doctrine of recapture “will not bar *Ball* from securing the reissued claims here on appeal” where the reissue claims were “broader than the claims of the original patent yet narrower than the cancelled claims” in the original patent application. Although the Court of Appeals found that the claims cancelled in the original application were “limited to an antenna of cylindrical configuration, whereas the reissued claims were not so limited,” the Court completely rejected the government’s assertion that recapture occurred because the reissued claims were not also limited to a cylindrical configuration, and held that the Applicant was entitled to obtain reissued claims that covered antennas that were not

in a cylindrical configuration. That holding is applicable here, where the Examiner seeks to reject Applicant's claims in a situation very similar to *Ball*, by rejecting those claims for failure to include such limitations as "first and second projections defining "first and second air bearing surfaces; "arcuate front wall portion" and "third and fourth air bearing surfaces" as were set forth in Applicant's original claims 1 through 10 and 14, which were rejected in Paper No. 4 in parent application serial no. 08/915,342 as "being clearly anticipated by Chapin et al. (5,200,868)." The fallacy in the Examiner's rejection lies in the fact that these limitations were already present in rejected claims 1 through 10, and were not added in an amendment to overcome the anticipation rejection. Moreover, Applicant amended independent claim 1 to broaden the scope of coverage by, for example, changing the phrase "curved front wall portion" to the broader phrase "arcuate front wall"; and making a wholesale deletion of the clause "curved front wall portion and said first and second curved wall portions being spaced apart from said first and second projections, wherein the first and second curved sidewall portions respectively extend along said first and second side portions of said principal surface". Applicant also made other broadening amendments in claim 1. In response to Applicant's demonstration in the *Remarks* of Paper No. 6, of the absence of anticipation, the Examiner withdrew the rejection under 35 U.S.C. §102(b), and allowed the broadened amended claim 1, together with claims 2 through 10 and 14. No basis for "recapture" occurred. Withdrawal of this rejection is therefore, required.

Secondly, the Examiner supports this rejection by asserting that "the record of the application for the patent shows that the broadening aspect (in the reissue) relates to the subject matter that applicant has previously surrendered during the prosecution of the application." This

is incorrect, and the Examiner has not been able to identify any surrender of any subject matter during the prosecution of the parent application. Absent surrender, there is no basis to support the **Examiner's** averment of recapture. Withdrawal of this rejection is therefore required.

Third, the Examiner cites “the following limitations [as having] been omitted from the newly presented reissue claims: 'first and second projections' defining 'first and second air bearing surfaces' (claims 21, 31 and 42); 'arcuate front wall portion' (claims 21 and 31), and 'third and fourth air bearing surfaces' (claim 21).” The Examiner's assertions are factually incorrect on the record. Evidence of this is found in the Examiner's assertion that:

“In the amendment of 12/01/98 in the parent application Applicant specifically argued (see remarks on pages 11-12) the following structural features to defined [sic] over the 102 rejection based upon CHAPIN et al. (5,200,868,): (a) an arcuate front wall”, (b) third and fourth air bearing surfaces, and c) four separate air bearing surfaces.”

This is a misrepresentation of the express arguments presented in the paragraph bridging pages 11 and 12 of Applicant's Amendment of 1 December 1998. In that Amendment, Applicant simply explained that six distinct features of claim 1 each independently serve to distinguish claim 1 over Chapin, by explaining that:

- ① “Claims 1-3, 7, 9-19, and 21-25 are drawn to a negative pressure air bearing slider which includes “*a U-shaped projection ... including an arcuate front wall ... for defining a negative pressure cavity therein.*”
- ② The U-shaped projection also has first and second side wall portions “*for defining third and fourth air bearing surfaces.*”
- ③ Applicant respectfully submits that the claimed slider is not disclosed anywhere in Chapin. For example, Figure 3j cited by the

Examiner shows a slider which clearly has

- ④ neither a U-shaped projection with an arcuate front wall portion for defining a negative pressure cavity,
- ⑤ nor does it have *third or fourth air bearing surfaces* spaced apart on the slider body.
- ⑥ Likewise, none of the numerous other embodiments shown in Chapin disclose a slider according to any of the claims 1-3, 7, 9-19, and 21-25.”

The foregoing excerpt from Applicant's 1998 Amendment clearly demonstrates that the Examiner's assertion about “four separate air bearing surfaces” is unfounded. This excerpt from Applicant's Remarks is in the alternative; none of these features are shown by Chapin. In short, Applicant was, in this excerpt, simply explaining to the Examiner that any of those six features in claim 1 were alone sufficient to individually, patentably distinguish over Chapin under 35 U.S.C. §102(b). Moreover, the issue is moot about the other two features, both of which are broadly contemplated by the rejected claim 21 through 51 as well as newly added claims 52 through 60. The Examiner's reliance upon the mischaracterization of Applicant's argument is disingenuous and is not helpful to completion of the examination.

Third, Applicant further argued on page 11 of the 1998 Amendment, that:

“Moreover, as can be clearly seen in Fig. 3j cited by the Examiner, Chapin's air bearing slider has the side rails 20 and 22 connected from leading edge to trailing edge without any broken sections. In contrast, in the air bearing slider according to the present claimed invention there are no side rails connected from leading edge to trailing edge. Instead, as shown in Fig. 4 and recited in independent claims 1 and 21, there are the four separate air bearing surface (ABS) platforms 110a, 110b, 110c and 110d distributed at the four edges of the surface. The two trailing platforms, 110c and 110d, are connected by cross rail 130 to create a negative pressure

pocket. This clearly distinguishes the slider of claims 1-3, 7, 9-19, and 21-25 of the present invention from Chapin."

That argument illustrates, as was expressly stated in that argument, that the presence of four separate air bearing surfaces "clearly distinguishes" the claims argued over exemplary art references Chapin '868. That argument does not however, surrender any subject matter disclosed in the original application, and is directed to specific embodiments and implementations of Applicant's invention that are disclosed in the originally filed application.

The Examiner's attention is also invited to the Applicant's demonstration, set forth on page 12 of Paper No. 6, of the complete absence of any similarity between the disclosures of Chapin '868 and the disclosure of Applicant's original specification. In a discussion contrasting Applicant's Fig. 4 with "Fig. 3j [of Chapin '868] cited by the Examiner", Applicant demonstrated a lack of anticipation. In that discussion of the drawings, Applicant wrote:

"Moreover, as can be clearly seen in Fig. 3j cited by the Examiner, Chapin's air bearing slider has the side rails 20 and 22 connected from leading edge to trailing edge without any broken sections. In contrast, in the air bearing slider according to the present claimed invention there are no side rails connected from leading edge to trailing edge. Instead, as shown in Fig. 4 and recited in independent claims 1 and 21, there are four separate air bearing surface (ABS) platforms 110a, 110b, 110c and 110d distributed at the four edges of the surface." Applicant's *Remarks*, Paper No. 6, page 12.

The Examiner's interest in this comparison of the drawings is not explained in the Office Action. In this discussion Applicant is simply examining the detail of the very drawing of Chapin '868 used by the Examiner to support the anticipation rejection. This discussion is simply an exhibit that the evidence relied upon by the Examiner to support the rejection under 35 U.S.C. §102(b)

was inadequate. Moreover, in that discussion, Applicant did not refer to either “(a) an arcuate front wall” or “(b) third and fourth air bearing surfaces” as alleged by the Examiner here, but Applicant did refer to (c) four air bearing surfaces”, although, as is explained below, this was to show the existence of yet another basis that was alone sufficient to patentably distinguish claims 1 and 21 from Chapin ‘868 under 35 U.S.C. §102(b).

In the same paragraph of that discussion on page 12 of Paper No. 6, the Applicant further explained to the Examiner, by reference to the various elements illustrated in Applicant’s Fig. 4, that:

“The two trailing platforms, 110c and 110d, are connected by cross rail 130 to create a negative pressure pocket.” Applicant’s *Remarks*, Paper No. 6, page 12.

The significance of this distinction between Applicant’s Fig. 4 and Chapin’s Fig. 3j, was then emphasized by the Applicant’s subsequent statement:

“This clearly distinguishes the slider of claims 1-3, 7, 9-19, and 21-25 of the present invention from Chapin.” Applicant’s *Remarks*, Paper No. 6, page 12.

The particular language used by the Applicant, namely that “[t]he two trailing platforms, 110c and 110d, are connected by cross rail 130 to create a negative pressure pocket”, was used in the *Remarks* to explain this distinction between Applicant’s Fig. 4 and Chapin’s Fig. 3j and to thereby demonstrate that Chapin’s Fig. 3j could not possibly support an anticipation rejection of independent claim 1; however the features referred to by Applicant were defined by Applicant, albeit with other nouns and verbs, in both original claim 1 and in now reissue claims 21 through 60 of the rejected reissue claims. Consequently, even ignoring *arguendo* the absence of an

amendment creating a basis for a recapture investigation, the feature referred to by Applicant's explanation is present in all of the rejected reissue claims. There is therefore, no basis for a recapture rejection; consequently, the Examiner's reliance upon Applicant's explanation set forth in the *Remarks* of the 1998 Amendment, about the impropriety of the rejection under 35 U.S.C. §102(b) is improper, inaccurate and misplaced. Accordingly, withdrawal of the rejection is respectfully requested.

Fourth, as rejected under 35 U.S.C. §102(b) over Chapin '868 in Office Action No. 5, claim 1 **originally** recited "first and second projections ... to define first and second air bearing surfaces" That is, the phrase quoted by the Examiner were present in claim 1 prior to the rejection under §102(b). This provides no basis for asserting recapture.

Fifth, as rejected under 35 U.S.C. §102(b) over Chapin '868 in Office Action No. 6, claim 1 **originally** recited "a curved front wall portion" This clause was broadened by amendment, to read "arcuate front wall portion" The Examiner's assertion that "arcuate" was added by amendment is misleading; "arcuate" was substituted for "curved." The broadening of a claim can not serve as the foundation for a recapture rejection, because the broadening does not surrender any of Applicant's scope of coverage. Absent surrender, there is no recapture. To the contrary, the broadening enlarges the scope of coverage.

Sixth, as rejected under 35 U.S.C. §102(b) over Chapin '868 in Office Action No. 6, claim 1 **originally** recited "third and fourth air bearing surfaces" This feature was not added by amendment; consequently, there is no basis for asserting a recapture of a feature added to the claims in order to overcome the rejection under 35 U.S.C. §102(b) over Chapin '868 because this

feature was already present in claim 1 prior to the rejection. The Examiner's assertion in paragraph 7, that "Applicant clearly amended the originally filed claims to add ... "third and fourth air bearing surfaces" is factually incorrect. Accordingly, a rejection premised upon incorrect statements of fact, must be withdrawn.

Rejection of Claims 21 through 41 Under Second Paragraph of 35 U.S.C. §112

In paragraph 3 of the Office action, the Examiner newly rejected claims 21 through 41 as being allegedly indefinite under the second paragraph of 35 U.S.C. §112. Although Applicant disagrees with the basis for the Examiner's rejection, the foregoing amendments of claims 21 and 31 render this rejection moot.

The Examiner explained this rejection as justified because claim 21 "fails to recite any reference for the locations of the listed features." The Examiner fails to give any explanation for this statement. Claim 21 is amended to recite that,

"said front edge and said rear edge together defining boundaries of said principal surface in a longitudinal direction of said slider body which is coincident with a tangential rotational direction of the recording medium"

The newly presented language references Applicant's *principal surface*, to which the "listed features" are in turn referenced, to the recording medium. These "listed features" are already referenced to "said front edge and said rear edge" that, in turn, define "boundaries of said principal surface in a longitudinal direction of said slider body." This amendment uses the precise language of claim 1; consequently, no new issues are raised and no further search or

consideration is required. In accordance with 37 C.F.R. §1.273(c), support for this language is found in the language of claim 1 of Applicant's patent.

In explaining the rejection of claim 31, the Examiner states that claim 31 "fails to recite a reference for the 'first direction.'" The Examiner also noted that the "patented claims" referenced features to the rotational direction confronted by the slider. Claim 31 is amended to recite,

"A negative pressure air bearing slider, comprising:
a principal surface defining a first plane tangential to a first
direction, which is coincident with a tangential rotational direction
of a recording medium... ."

The newly presented language references Applicant's *principal surface* and *first plane*, to Applicant's *first direction* and to the *rotational direction* of the recording medium. This conforms to the Examiner's suggestion to reference the features to the rotational direction of the medium confronted by the slider. This amendment uses the language of claim 1; consequently, no new issues are raised and no further search or consideration is required. In accordance with 37 C.F.R. §1.273(c), support for this amendment is found in the language of claim 1 of Applicant's patent.

Rejection of Claims 21 - 60 Under First & Second Paragraphs of 35 U.S.C. §112

In paragraph 4 of the Office action, the Examiner again rejected claims 21 through 51 under the first and second paragraphs of 35 U.S.C. §112, based upon the Examiner's averment, repeated verbatim from Paper No. 6, that "the claimed invention is not described in such full, clear, concise, and exact terms as to enable any person skilled in the art to make and use the same, and/or for filing to particularly pointing out and distinctly claim the subject matter which

applicant regards as the invention.” Applicant respectfully traverses this rejection for the following reasons:

First, the Examiner's characterization of Applicant's invention as extremely broad, but fails to satisfy the statute. Under 35 U.S.C. §112, the Congress gave exclusive and sole authorization to the inventor, not to the Examiner, to determine “the subject matter which the applicant regards as his invention.” See the second paragraph of 35 U.S.C. §112. While the Examiner's thoughts about the novelty disclosed by Applicant in the specification are appreciated, it is Applicant alone, rather than the Examiner, who has been authorized by the Congress of the United States, to determine the subject matter of his invention. The fact that Applicant seeks broad coverage for his invention by defining combinations of different salient features, has nothing to do with enablement, if those features have been properly disclosed. Both the OG figure, and other figures, such as Figures 9 and 10, clearly show structures defined by the newly presented claims, including newly presented claims 52, 55 and 58, with a “U-shaped air bearing platform defining a negative pressure cavity on said principal surface.” The fact that particular implementations of Applicant's inventions as defined by claims 21 through 60 may require additional structure such as an armature, a voice coil motor, a transducer and a sealed container are irrelevant to determinations of novelty. Novelty is determined by the scope of the art relative to the prior art. Consequently, the breadth of Applicant's pending claims provides no basis for rejecting these claims under either the second or the first paragraph of §112; accordingly, this rejection is improper, has no authority under the statute and must be withdrawn.

Second, the Examiner argues that the original disclosure “showed only slider

configurations with two separate front air bearing surfaces and a [*sic*, an] U-shaped cross rail with a side extension on each side terminating near the rear edge with an air bearing surface. There is NO disclosure of a slider having: (a) a cross rail without the two separate front air bearing surfaces, (b) a cross rail with only one side extension, (c) only a total of one air bearing surface between the two side extensions, or (d) the side extensions having different lengths, with only one terminating before the trailing end of the slider.” These four averments bear individual consideration.

(a) cross rail without the two separate front air bearing surfaces

This averment incorrectly reads Applicant’s claims. By way of example, rejected claim 21 defines *inter alia*,

“a U-shaped air bearing platform defining a negative pressure cavity on said principal surface, said U-shaped air bearing platform comprising not more than two separate air bearing platforms each extending rearwardly toward said rear portion of said principal surface”

Nowhere in either claim 21, nor in any of the other rejected claims, do the words “without” or “cross rail without”, or even “without the two separate front air bearing surfaces” appear. Absent the presence of these words from any of the rejected claims, the questions of enablement, written description and indefiniteness focused upon the clause “cross rail without the two separate front air bearing surfaces” are immaterial to the patentability of claims 21 through 60.

(b) a cross rail with only one side extension

This averment is inaccurate. Rejected claim 21 reads:

“a U-shaped air bearing platform defining a negative pressure cavity on said principal surface, said U-shaped air bearing platform comprising not more than two separate air bearing platforms each extending rearwardly toward said rear portion of said principal surface and respectively terminating at a first rear termination and a second rear termination, at least one of said not more than two separate air bearing platforms including a side wall portion”

Neither claim 21, nor any of the other rejected claims uses the clause *a cross rail with only one side extension*. Whether this clause is enabled, described in a written description, or indefinite has no bearing upon the patentability of claims 21 through 60.

(c) only a total of one air bearing surface between the two side extensions

This averment misreads the text of all of the rejected claims. By way of example, claim 21 reads:

“a U-shaped air bearing platform defining a negative pressure cavity on said principal surface, said U-shaped air bearing platform comprising not more than two separate air bearing platforms each extending rearwardly toward said rear portion of said principal surface and respectively terminating at a first rear termination and a second rear termination, at least one of said not more than two separate air bearing platforms including a side wall portion”

Neither the words “only”, “total”, “one air bearing surface”, nor the clauses “only a total of one air bearing surface” or “total of one air bearing surface between the two side extensions” appear in either claim 21 or in any of the other rejected claims. Absent the presence of these words from any of the rejected claims, the questions of enablement, written description and

indefiniteness of the clause (c) only a total of one air bearing surface between the two side extensions” are immaterial to the patentability of claims 21 through 60.

(d) the side extensions having different lengths, with only one terminating before the trailing end of the slider

This averment improperly reads into the rejected claims, words that are not present in those claims. Claim 21, as exemplary of the rejected claims, states:

“at least one of said first rear termination and said second rear termination not coinciding with said rear edge, and being disposed upstream of said rear edge relative to said rotational direction of said recording medium.”

Nothing in this claim states “side extensions having different lengths, with only one terminating before the trailing end of the slider.” Accordingly, absent the words “only”, “the side extensions having different lengths”, “with only one”, or “with only one terminating before the trailing end of the slider”, there is no basis for maintaining this rejection.

Rejection Of Claims 21, 30-32, and 41 Under 35 U.S.C. §102(a) Over Nepela ‘981

In paragraph 6 of the Office action, the Examiner rejected claims 21, 30-32, and 41 under 35 U.S.C. §102 for alleged anticipation by Nepela *et al.* U.S. Patent No. 5,568,981. Applicant respectfully traversed this rejection for the following reasons.

Although the Examiner asserts that Figs. 4b, 4c, 5b, 5c and 5d of Nepela ‘981 show “a slider with an U-shaped platform with a negative pressure cavity (not numbered) behind a cross rail 98 ”, these drawings of Nepela ‘981 uniformly illustrate three discrete elements, namely side

rails 72, 74 and cross rail 98 forming what the Examiner alleges to be a *U-shaped platform*. These drawings fail to show Applicant's "U-shaped air bearing platform defining the negative pressure cavity" with "said U-shaped air bearing platform comprising not more than two separate air bearing platforms ..." as defined by claims 21, 31, 52, 55 and 58. Under the *all-elements* rule of an interpretation of 35 U.S.C. §102(a), if *any element* of rejected claim is missing from the applied art, there can be no anticipation. Accordingly, Nepela'981 fails to anticipate any of these claims. Accordingly, this rejection may not be maintained under the *all elements* rule of 35 U.S.C. §102(b).

Explanation of Support under 37CFR §1.173(c)

Claim 16 is amended in line 3 to change "slider" to "slider body" in conformance with the introduction of this phrase in line 2 of claim 16. Support is provided in the language of original claim 16.

Independent claims 21 and 31 are amended to add the language "which is coincident with a tangential rotational direction of the recording medium" respectively in lines 8 and 9, and in lines 2 and 3, of the first paragraph of these claims. Support is provided by the first paragraph of original claim 1, and these amendments are made in accordance with the suggestion kindly offered by the Examiner in the last sentence of the third paragraph of Paper No. 9. Additionally, line 9 of independent claim 31 is amended to correct the geometric reference of the second plane to the principle surface. This is in accordance with the geometry of Applicant's U-shaped air bearing platform illustrated in original Figs. 8 through 12 of Applicant's patent.

No fee is incurred by this Amendment.

Entry of this Amendment under 37 CFR §1.116(b) is indicated, because no new issues are raised by the amendments of claims 16, 21 and 31; no new issues are raised by these amendments which address issues newly raised only in the final rejection; and no further search or consideration is required because these amendments use language taken from allowed claim 1. Alternately, examination in part is requested.

In view of the above, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Reconsideration of the rejections and objections is requested. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

Respectfully submitted,



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MARKED-UP VERSION OF AMENDMENTS

IN THE CLAIMS

Please amend claims 16, 21 and 31, as follows:

1 16. (Twice Amended) A negative pressure air bearing slider, comprising:

2 a slider body for flying above a surface of a recording disc during relative rotation of the
3 disc, the slider body having a principal surface facing the surface of the disc, said slider body
4 having a lead edge, a rear edge, a first side edge and a second side edge, wherein the lead edge is
5 spaced upstream of the rear edge along a longitudinal axis of said slider body, the longitudinal
6 axis coincident with a tangential rotational direction of the recording disc, and wherein the first
7 side edge is spaced from the second side edge along a latitudinal axis of said slider body;

8 first and second projections extending from a lead portion of said principal surface
9 adjacent to said lead edge to provide first and second air bearing surfaces, said first and second
10 air bearing surfaces spaced apart from each other along said latitudinal axis and located proximal
11 to said first and second side edges of said slider body such that a gap is provided there between;

12 a U-shaped projection extending from said principal surface of said slider body, said U-
13 shaped projection including an arcuate front wall and first and second side walls extending from
14 each end of said front wall, each of said side walls extending rearwardly toward said rear portion
15 and outwardly toward an adjacent side edge of said slider body for defining a negative pressure
16 cavity therein, a forwardmost portion of said arcuate front wall located at least partially between
17 said first and second air bearing surfaces such that first and second passages are formed between
18 the arcuate front wall and a rear edge of said first and second air bearing surfaces, said passages
19 communicating with said gap to provide a flow path that extends from said lead portion and
20 terminates along said side edges prior to reaching a rear portion of said slider body adjacent to
21 said rear edge thereof, said first and second wall portions terminating at said rear portion of said
22 slider body for defining third and fourth air bearing surfaces spaced apart along said latitudinal
23 axis and located proximal to said first and second side edges of said slider body, the air bearing
24 surfaces positioned about on said [principle] principal surface of said slider body such that four

25 separate and distinct positive pressure areas are provided when said slider body is flying above
26 said rotating disc; and

27 a fourth projection extending from said rear portion of said slider body, said fourth
28 projection generally aligned with said longitudinal axis of said slider body, the fourth projection
29 including a transducer mounted on a rear edge thereof for establishing pseudo contact with the
30 disc surface while said slider body is flying above said disc.

1 21. (Twice Amended) A negative pressure air bearing slider having a negative pressure
2 cavity, comprising:

3 a body with a principal surface disposed to confront a recording surface of a recording
4 medium, said principal surface having a lead portion and a rear portion, said lead portion being
5 spaced upstream from said rear portion relative to a rotational direction of any recording medium
6 confronted by said slider, said lead portion having a front edge, said rear portion having a rear
7 edge, said front edge and said rear edge together defining boundaries of said principal surface in
8 a longitudinal direction of said slider body, which is coincident with a tangential rotational
9 direction of the recording medium; and

10 a U-shaped air bearing platform defining a negative pressure cavity on said principal
11 surface, said U-shaped air bearing platform comprising not more than two separate air bearing
12 platforms each extending rearwardly toward said rear portion of said principal surface and
13 respectively terminating at a first rear termination and a second rear termination, at least one of
14 said not more than two separate air bearing platforms including a side wall portion;

15 at least one of said first rear termination and said second rear termination not coinciding
16 with said rear edge, and being disposed upstream of said rear edge relative to said rotational
17 direction of said recording medium.

1 31. (Twice Amended) A negative pressure air bearing slider, comprising:

2 a principal surface defining a first plane tangential to a first direction, which is coincident
3 with a tangential rotational direction of a recording medium;

4 said principal surface having a lead portion and a rear portion, said lead portion being
5 spaced upstream from said rear portion relative to said first direction, said lead portion having a
6 front edge, said rear portion having a rear edge, said front edge and said rear edge together
7 defining longitudinal boundaries of said principal surface in said first direction; and

8 a U-shaped air bearing platform having a plurality of air bearing surfaces surrounding a
9 negative pressure cavity while defining a second plane [tangential] parallel to said [first
10 direction] principal surface, said U-shaped air bearing platform comprising not more than two
11 separate air bearing platforms each extending from said lead portion rearwardly toward said rear
12 portion and respectively terminating at a first rear termination and a second rear termination, at
13 least one of said not more than two separate air bearing platforms including a side wall portion;

14 at least one of a surface between said first rear termination and said rear edge and a
15 surface between said second rear termination and said rear edge being in said first plane.